

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION

IN RE:

CASE NO: 09-40909

JAMES AARON ELLENBURG
KRISTEN CONNELLY ELLENBURG
SSN# : XXX-XX-3985
SSN# : XXX-XX-6564

TRUSTEE'S OBJECTION TO CLAIM

The undersigned Chapter 13 Trustee objects to the following proof of claim for the specific reason as set forth herein:

<u>Trustee Claim #</u>	<u>Clerk Claim #</u>	<u>Creditor Name</u>	<u>Account Number</u>	<u>Filed Claim Amount</u>	<u>Amount Paid Through Plan</u>	<u>Claim Type</u>
11	17	HSBC BANK NEVADA NA	1737	\$6,292.10	\$6,292.10	U-Unsecured

Relief from stay has been granted with respect to the property upon which claimant holds a lien. If the objection is sustained, the claimant should be given a period of one hundred twenty (120) days within which to file any deficiency claim or the claim as filed is disallowed.

The trustee's objection is intended to resolve the treatment of the claim under the Chapter 13 plan. It may not be determinative of the status of affected lien(s) upon discharge.

DATED: 10/29/2010

Steven G. Tate
Standing Chapter 13 Trustee
PO Box 1778
Statesville, NC 28687-1778

****NOTICE OF OPPORTUNITY FOR HEARING ON REVERSE SIDE****

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NOTICE OF OBJECTION TO CLAIM

The Chapter 13 trustee has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to eliminate or change your claim, then you or your attorney must file with the court a written response to the objection, explaining your position, and a request for a hearing within twenty (20) days of the date of the service of this notice, at the following address:

CLERK, U.S. BANKRUPTCY COURT
PO Box 34189
Charlotte, NC 28234-4189

If you **mail** your response to the court for filing, you must mail it early enough for the court to **receive** it on or before the deadline stated above.

You must also mail a copy of your response to the debtors' attorney at the following mailing address:

ANDREA GALE FARMER
Tomblin Farmer & Morris PLLC
PO Box 632
Rutherfordton, NC 28139

If you file a response, then a hearing on the trustee's objection will be held at the following time and place:

Date: December 17, 2010 Time: 9:30 am

Location: Cleveland County Courthouse
Courtroom #5
Shelby, NC 28151

No hearing will be held unless a response is filed.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Dated: 10/29/2010

Steven G. Tate
Chapter 13 Trustee

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CERTIFICATE OF SERVICE

The parties whose names and addresses are listed below were served by United States first class mail, postage prepaid on 10/29/2010.

A. Hamby

Office of the Chapter 13 Trustee

HSBC BANK NEVADA NA, BASS & ASSOCIATES PC, 3936 E FT LOWELL ROAD SUITE 200, TUCSON, AZ 85712
JAMES AARON ELLENBURG AND KRISTEN CONNELLY ELLENBURG, 320 WIDD LAWING LN, UNION MILLS, NC 28167